Road - 3rd Election District Reservoir Limited Partnership *

ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 89-121-SPH Petitioner *

BEFORE THE DEPUTY

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * *

The Petitioner herein requests permission to utilize an R-O zoned portion of the property for parking and for access between Hooks Lane and the B.R. zoned portion of the property, as more particularly described on Petitioner's Exhibit 2.

The Petitioner, by Gary Attman, appeared, testified and was represented by Charles B. Heyman, Esquire. Also appearing and testifying for Petitioner were Wes Guckert of The Traffic Group, Inc., a traffic expert; Thomas M. Nichols, AIA of Nichols Architects; and Samuel B. Shockley of Development Engineering Consultants, Inc. Appearing as Protestants were Hooks Lane Improvement Association, Inc. by Stanley Alpert, its President and Stanley Alpert, individually, who were represented by Newton A. Williams, Esquire and who participated in the hearing.

The subject property, located on the south side of Hooks Lane, northeast of Reisterstown Road, is bifurcated by a zone line with 0.77+ acres zoned R-O in the front and on the easternmost portion and 1.40 \pm acres zoned B.R. The entire property is presently unimproved and is not being used for residential purposes. The Petitioner wants to utilize an area in the R-O portion immediately to the front and east of the B.R. portion of the property for parking and for access to the B.R. portion of

-1-

the property as shown on Petitioner's Exhibit 2. The R-O portion of the property between the B.R. portion of the property and Hooks Lane is approximately 55 feet in depth.

Petitioner proposes construction of an office building in the B.R. portion of the property. An office building is permitted as a matter of right in the B.R. zone. The Commercentre property located immediately to the west and south of the property is zoned B.R. and has been developed as an office and retail complex. Hooks Lane Executive Park is contiguous to the property to the east and is presently being improved with Class B office buildings.

The proposed office building on the property was the subject of a CRG Hearing on May 25, 1988, at which time proposed development of the site was reviewed and the meeting continued for a determination by the Zoning Commissioner with regard to access over the R-O portion of the property. Following the continuance of the CRG Hearing, there were a number of meetings between the Petitioner and representatives of the Baltimore County Office of Planning and with representatives of the Hooks Lane Improvement Association, Inc. As a result of these meetings, Petitioner's plans for a proposed office building were substantially modified, resulting in the present plan shown on Exhibit 2, which has a maximum height of 65 feet above the highest ground elevation of the building foot print, a maximum building length of 330 feet and a maximum above-ground depth of 86 feet. Further, as a result of said meetings, the architectural design and materials to be used in the office building were revised to provide for an office building compatible with the nearby residential neighborhood. Petitioner also has committed to at least a 35 foot buffer

area along Hooks Lane, except for the proposed two driveway areas, curbs, sidewalks and possible connections for utilities from Hooks Lane to the building and except for said driveway areas, curbs, sidewalks and utility connection, to use reasonable efforts to maintain and preserve the existing mature trees in the buffer area. A substantial amount of the parking will be underground.

Hooks Lane slopes down from the east end of the property to the west end so that there is a grade elevation difference of approximately 12 feet from the east end of the property to the west end. The proposed garage entrance for the underground parking will be near the west end of the building so as to permit entrance into the garage from Hooks Lane at grade. This will allow the proposed building to remain within the height limitation of 65 feet. Exit from the garage is proposed from the rear of the building near the west end of the building. Exiting vehicles will traverse a ramp driveway at the rear of the building to the east end of the building and over the R-O portion of the property located east of the building to the access area leading to Hooks Lane. The westernmost driveway area is proposed to be 24 feet wide and will be for ingress only. The easternmost driveway area is proposed to be 40 feet wide and will be for ingress and egress. The location of the easternmost driveway will allow traffic exiting from the property to make a left-hand turn a sufficient distance from the intersection of Green Tree Road and Hooks Lane. The traffic pattern described and the access points were developed as a result of the recommendation of Wes Guckert of The Traffic Group, Inc. in order to assure that the traffic pattern was workable and would not tend to create congestion on the roads or streets or otherwise be detrimental to the

above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432

A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the BCZR.

Petitioner has also requested the right to use the R-O portion of the property for access for the commercial portion of the property. There are exceptions to the general rule prohibiting access through a residential zone for a commercial use. Such access is permitted if it is the only access from a public street, or if the R-O land in issue is too small, or if the use of the land is not residential or if the land in issue is subject to other restrictions which prevent a residential use.

For the purpose of determining access to commercial zones from an R-O zone, the R-O zone shall be treated as a residential zone. The portion of the R-O zoned property through which access will be provided satisfies the exceptions to the general rule and is therefore approved for \supset ingress and egress.

Pursuant to the advertisement, posting of property, public hearing held, and it appearing that by reason of the requirements of Section 502.1 having been met and the health, safety and general welfare of the community not being adversely affected, the relief prayed for should be

Therefore, IT IS CRDERED by the Deputy Zoning Commissioner of

Baltimore County, this 13 day of October, 1988, that the Petition for Special Hearing to approve a use permit for off-street parking in an R-O zone and the use of an R-O zoned portion of land for commercial access, in accordance with Petitioner's Exhibit 1 and 2, be and is hereby GRANTED, from and after the date of this Order, subject, however to the following restrictions which are conditions precedent to the relief herein granted:

> 1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original

> 2. Any changes, other than those specified herein, to the approved site plan (Exhibit 1 and 2) or proposed architectural style shall be submitted to the Zoning Commissioner and/or Deputy Zoning Commissioner for approval, and copies shall be provided to the Hooks Lane Improvement Association, Inc.; however, no hearing will be required if the change is consented to in writing by Hooks Lane Improvement Association, Inc. and the Zoning Commissioner and/or Deputy Zoning Commissioner determines that said change is within the spirit and intent of the zoning regulations.

3. (a) Petitioner shall preserve and maintain the existing trees in the R-O zone fronting Hooks Lane. Under no circumstances should the existing trees or ground beneath the trees be disturbed outside the driveways depicted on Petitioner's Exhibit 2, unless waived by the Landscaping Planner, with Current Planning for Baltimore County, in the event he finds, after submission of documentation by Petitioner, disturbance is required for installation of utilities, curbs, sidewalks and/or due to dedication of land to the County for right of way on Hooks Lane, or as otherwise appropriate.

(b) In the event disturbance of trees becomes necessary, a landscaping plan showing the changes from the existing condition shall be approved by the Landscaping Planner and submitted for approval to the Zoning Commissioner and/or Deputy Zoning Commissioner.

(c) If any trees are destroyed or killed during construction, other than those approved to be removed in 3.(b)

above, Petitioner must replace with trees approved by the Landscaping Planner.

Compliance with all CRG requirements.

- 3 -

5. The use granted herein shall be utilized within five (5) years from the date of this Order.

6. All exterior lighting on the parking lot in the R-O zone shall be directed downward and shall not diffuse across Hooks Lane.

7. When applying for the building permit, the site plan must reference this case and set forth and address the restrictions in this Order, CRG and Section 409.8B2 BCZR.

> Ann M. Nastarowicz Deputy Zoning Commissioner of Baltimore County

health, safety or general welfare of the locality, nor tend to create congestion on roads, streets or alleys therein.

Negotiations of an Agreement and Declaration of Covenants between Petitioner and Hooks Lane Improvement Association, Inc. are presently in progress, and the parties anticipate the Agreement will be finalized and executed. This Agreement will prevent utilization of the R-O portion of the property for residential purposes

Uncontradicted evidence was that there would be no adverse impact to the community and that the spirit and intent of the Baltimore County Zoning Regulations (BCZR) would be satisfied if the relief prayed for were granted. Further, the conditions precedent in Section 502.1 BCZR, would be satisfied.

The Petitioner seeks relief from Section 409.8 pursuant to Sections 500.7 and 502.1 BCZR.

It is clear that the BCZR permits the requested off-street parking in an R-O zone by special permission. It is equally clear that the proposed use would not be detrimental to the primary uses in its vicinity. Therefore, it must be determined whether the conditions as delineated in Section 502.1 have been satisfied by the Petitioner.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 2 would have any adverse impact

Itcm 75

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:	
The undersigned, legal owner(s) of the property situate in Baltimore County and described in the description and plat attached hereto and made a part hereof, hereby per Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to deter the or not the Zoning Commissioner and/or Deputy Zoning Commissioner should appropriate the country of the Country Zoning Commissioner and/or Deputy Zoning Commissioner should appropriate the country Zoning Commissioner should be considered to the country zoning considered to the	rmine whe-
Persuant to Section 409.8 B a use permit for Business P	arking
in a residential zone (RQ) and driving access thru said	RO Zone
to adjacent commercially zoned parcel as shown on attac	hed_plat
Property is to be posted and advertised as prescribed by Zoming Regulations.	MAP

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., using of this Petition, and further agree to and are to be bound by the zoning regulations and tions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.	E. D	
I/We do solemnly declare and	affirm	- 1-27
under the penalties of perjury, the are the legal owner(s) of the penalties of this Petition	at I/we	B
which is the subject of this Petition	1.	3 81

ontract Purchaser:	Legal Owner(s): Reservoir Limited Partnership Lenard J. Attman Gen. Partner
(Type or Print Name)	(Type or Print Name) LEONALO J. A. Stirm OVINER
Signature	Samuel B. Shockley (Agent)
Address	(Type or Print Name)
City and State	Signature

Attorney for Petitioner: 7779 New York Lane 366-6366 Charles B. Heyman Charles By Huymon Glen Burnie, MD 21061 Signature 10th Floor Sun Life Bldg. Name, address and phone number of legal owner, con-tract purchaser or representative to be contacted 20_S. Charles St....

Samuel B. Shockley Baltimore, MD 21201
City and State 6603 York Rd. 21093 377-2600 Attorney's Telephone No.: _539-6967 ORDERED By The Zoning Commissioner of Baltimore County, this _____ day

September, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore
County, on the ______ day of ______ 19 _____, at 21/5 o'clock

Zoning Commissioner of Baltimore County.

*ESTIMATED LENGTH OF HEARING -1/2HR. MC - AVAILABLE FOR HEARING MON./TUES./WED. - NEXT TWO MONOTON

- 6 -

REVIEWED BY: 7771K

#75

DESCRIPTION

Reisterstown Road, North 48 degrees 14 minutes 54 seconds East, 381 feet more or less, then South 41 degrees 18 minutes 47 seconds East, 16 feet more or less, then North 48 degrees 41 minutes 13 seconds East 62 feet more or less, then South 41 degrees 18 minutes 47 seconds East, 199 feet more or less, then South 48 degrees 41 minutes 13 seconds West 62 feet more or less to existing R-O/B-R Zone Line. Then along the R-O/B-R Zone Line northwesterly 160 feet more or less to corner of R-O/B-R Zone Line, then southwesterly 381 feet more or less along Zone Line. Then North 41 degrees 15 minutes 05 seconds West 55 feet more or less to point of beginning.

08/23/88 85-106



6603 York Road Baltimore, Maryland 21212 (301) 377-2600

RE: PETITION FOR SPECIAL HEARING : SE/S Hooks La., 600° NE of R/W Reisterstown Rd., 3rd Election : Dist.; 2nd Councilmanic Dist.

: BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

RESERVOIR LIMITED PARTNERSHIP, Case No. 89-121-SPH

ENTRY OF APPEARANCE

::::::

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Deputy People's Counsel
Room 304, County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 21st day of September, 1988, a copy of the foregoing Entry of Appearance was mailed to Charles B. Heyman, Esquire, 10th Flr., Sun LIfe Bldg., 20 S. Charles St., Baltimore, MD 21201, Attorney for Petitioner; and Samuel B. Shockley, Agent, 6603 York Rd., Baltimore, MD 21212, who requested notification.

Peter Max Zimmerman

Baltimore County
Zoning Commissioner
Office of Pianning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

September 7. 198

NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

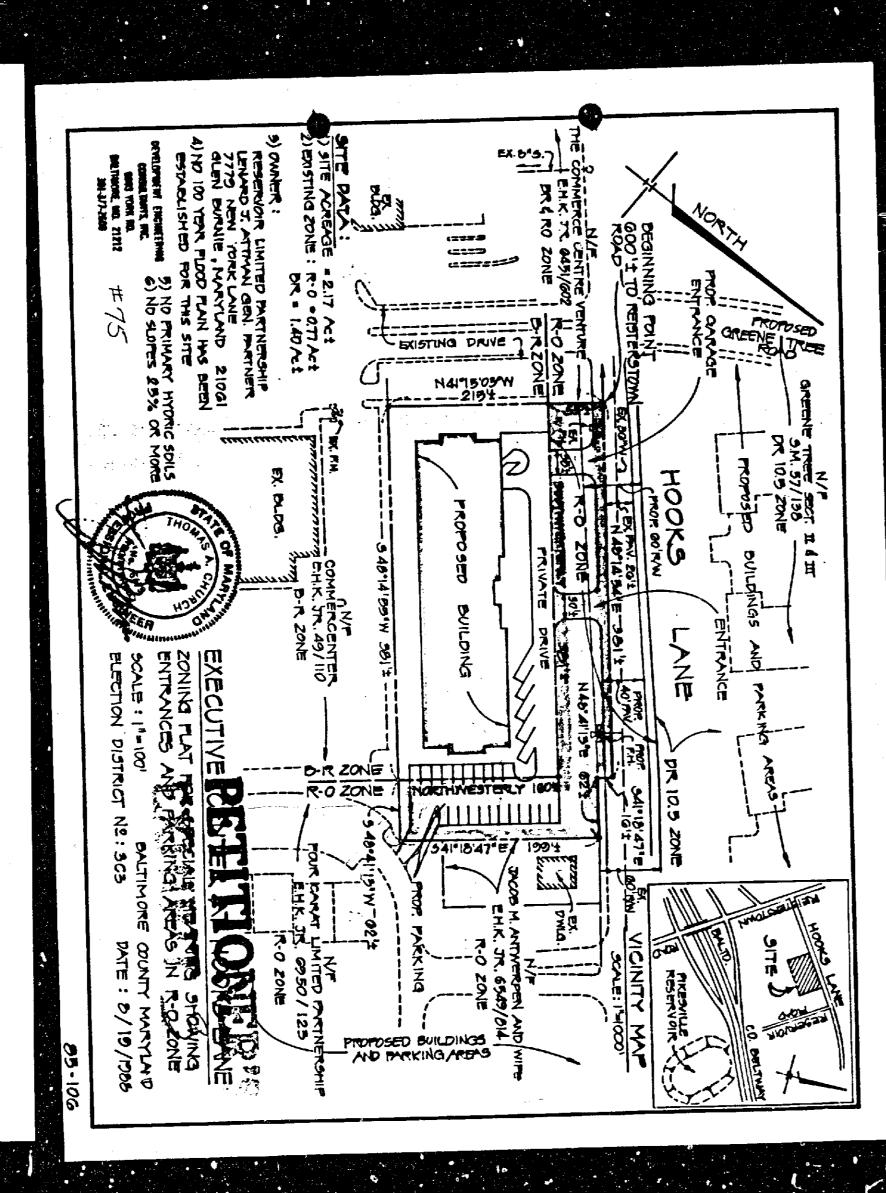
Petition for Special Hearing
CASE NUMBER: 89-121-SPH
SE/S Hooks Lane, 600' NE of R/W of Reisterstown Road
3rd Election District - 2nd Councilmanic
Petitioner(s): Reservoir Limited Partnership
HEARING SCHEDULED: FRIDAY, OCTOBER 7, 1988 at 2:15 p.m.,

Special Hearing: Use permit for Business Parking in a residential zone (RO) and driving access thru said RO zone to adjacent commercially zoned parcel.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

ace Reservoir Limited Pertracted Samuel R. Stackley Charles S. Hoyann, Esq. File



CERTIFICATE OF POSTING 89-121-5PH Date of Posting Suptrodur 13-88 Reserver Limited Partnership Location of property. SE / side of Hooks Lane 1 600' NE of Date of return: 9-16- \$8 CERTIFICATE OF PUBLICATION TOWSON, MD., 2001.19 1988 NOTICE OF HEARING THIS IS TO CERTIFY, that the annexed advertisement was The Zoning Commissioner of Bellimore County, by authority of the Zoning Act and Regulations of Bellimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeate Avenue in Towson, Maryland se folpublished in OWINGS MILLS TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ____ successive weeks, the first publication appearing on ________ \$ 37,50 OWINGS MILLS TIMES, PO# 05049 In the event that this Petton is grarted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the insuance of said permit during the period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing. J. ROBERT HAINES CERTIFICATE OF PUBLICATION THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ____ successive weeks, the first publication appearing on Sept. 1988

89-121-SPH

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Received by:

Character Azines

ZONING COMMISSIONER

Received by:

Character Azines

Petitioner Perinership
Petitioner S
Attorney
Charles B. Heyman

Special Hearing: Use permit for Business Parking in a residential zone (RO) and driving access thru said RO zone to adjacent commercially zoned parcel.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

Chargam, Drening Plans Advisory Committee

THE JEFFERSONIAN,

Towson, Maryland 21204 494-3353 Date: 9/22/18 J. Robert Haines Zoning Commissioner Recervoir Limited Partnership 7779 New York Lane Glan Burnie, Mazyland 21081 ATTN: AR. LENARD J. ATTMAN Petition for Special Hearing CASE NUMBER: 89-121-57H SE/S Hooks Lane, 800° NE of R/N of Relateratour Road 3rd Election District - 2nd Councilmenic Petitioner(s): Reservoir Limited Pertnership HEARING SCHEDULED: FRIDAY, OCTOBER 7, 1988 at 2:15 p.m. Please be advised that \(\frac{90.00}{10.00} \) is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself. THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED. Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE

| C | 188 | Account | C | 15 - CCO |

AMOUNT \$ 9C.CO |

RECEIVED | PROPERTY | PRINCE | PRINCE | PRINCE | PRINCE |

B | 142 ***** 30 1/3 : 9 - 1/3 | - C | + H |

DETIRENTION | VALIDATION OR SIGNATURE OF CASHIER

WHITE-CASHIER | PRINCAGENCY YELLOW-CUSTOMER

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Baltimore County

Zoning Commissioner Office of Planning & Zoning

494-4500

Paul H. Reincke September 12, 1988

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204



Re: Property Owner: Reservoir Ltd. Partnership

Location: SE/S Hooks La., 600' NE of R/W of Reisterstown Road

Item No.: 75

Zoning Agenda: Meeting of 9/6/88

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Cott Joseph Moted and Approved:

Planning Group

Special Inspection Division

Noted and Approved:

Fire Prevention Bureau

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BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

Charles B. Heyman, Esquire

10th Floor Sun Life Building

COUNTY OFFICE BLDG. 111 W. Cherapeake Ave. Towson, Maryland 21204

20 South Charles Street Baltimore, Maryland 21201 RE: Item No. 75 - Case No. 89-121-SPH Petitioner: Reservoir Limited Partnership Petition for Special Hearing

Bureau of Department of Iraffic Engineering State Roads Commission Bureau of Fire Prevention Health Department Project Planning

Building Department Board of Education

Zoning Administration Industrial Committee at this time that offer or request information on your Development

Dear Mr. Heyman: The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested. but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning. Enclosed are all comments submitted from the members of the

petition. If similar comments from the remaining members are

received, I will forward them to you. Otherwise, any comment

that is not informative will be placed in the hearing file. This

petition was accepted for filing on the date of the enclosed

filing certificate and a hearing scheduled accordingly.

Very truly yours,

September 28, 1988

Zoning Plans Advisory Committee

Date_September 30, 1988

cc: Samuel B. Shockley 6603 York Road Baltimore, Maryland 21212

BATIMORE COUNTY, MARPLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines

TO Zoning Commissioner

Pat Keller, Deputy Director FROM Office of Planning and Zoning Reservoir Ltd. Partnership

SUBJECT Zoning Petition No. 89-121-SPH

The applicant is requesting special exception approval to allow business parking in an RO zone and access drives through an RO zone to an adjacent commercially zoned parcel. In reference to this request, staff provides the following information:

- The subject development had a CRG on May 26, 1988. The hearing was continued due to concerns raised by the County. The project has undergone extensive review and analysis by the County as well as revision by the applicant. The project is scheduled for CRG on October 13, 1988.

- All of the major issues such as building design, buffering and site layout have been addressed by the applicant. The only remaining concern by staff is the retention of the existing trees and buffer area located along Hooks Lane not affected by the two driveway accesses. Under no circumstances should the existing trees or ground beneath the trees be disturbed outside of the driveways. The retention of this buffer is critical to maintaining a compatible relationship between the proposed project and the residential community located on the other side (north) of Hooks Lane. This area should not be used for stormwater management, underground parking, utilities, etc.

Based upon the analysis conducted and information provided, staff recommends approval of this request subject to the concerns noted.

PK/sf



ZONING OFFICE

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

Zoning Commissioner Office of Planning and Zoning County Office Building

Towson, Maryland 21204 Property Owner: Reservoir Limited Partnership

Location: SE/5 of Hooks Lane District 3

Water Supply metro _Sewage Disposal_ COMMENTS ARE AS FOLLOWS: () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment

for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review Prior to new installation/s of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installation/s before work begins.

spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere. () A permit to construct from the Bureau of Air Quality Management is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.

() A permit to construct from the Bureau of Air Quality Management is required for such items as

() Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval. () Prior to any new construction or substantial alteration of public swimming pool, wading pool,

bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3811.

() Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health. . () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.

() Prior to razing of existing structure/s, petitioner must contact the Division of Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775. () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3768.

() Soil percolation tests, have been ____, must be ____, conducted.
() The results are valid until
() Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.

() Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.

) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test) shall be valid until () is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications. () Prior to occupancy approval, the potability of the water supply must be verified by collection

of bacteriological and chemical water samples. (V) If submission of plans to the County Review Group is required, a Hydrogeological Study and an

BUREAU OF WATER QUALITY AND RESOURCE

MANAGEMENT

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines
Zoning Commissioner

Charles B. Heyman, Esquire 20th Floor Sun Life Building 20 S. Charles Street Baltimore, Maryland 21201

RE: PETITION FOR SPECIAL HEARING SE/S Hooks Lane, 600' NE of the R/W of Reisterstown Road 3rd Election District - 2nd Councilmanic District Reservoir Limited Partnership - Petitioner Case No. 89-121-SPH

Dear Mr. Heyman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

October 13, 1988

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

Dennis F. Rasınussen

cc: Newton A. Williams, Esquire Nolan, Plumhoff & Williams 1105 E. Joppa Road, Towson, Md. 21204

People's Counsel

File

Kaplan, Heyman, Greenberg, Engelman & Belgrad, P.A.

TENTH FLOOR-SUN LIFE BUILDING CHARLES B. HEYMAN 20 SOUTH CHARLES STREET MANNES F. GREENBERG BALTIMORE, MARYLAND 21201 EDWARD F. SHEAL JR. THEODORE S. MILLER STANLEY S. FINE SEARLE E. MITNICK

JOHN PHILIP MILLER

LOWELL G. HERMAN

BARRY L. STEELMAN

MICHAEL D. BERMAN

THOMAS D. WOLFE

BARRY WEISKOPF

CHRIS A. OWENS

WILLIAM D. SHAUGHRESST.

RANDALL M. LUTZ

(301) 539-6967 TELECOPIER (301) 752-0685

August 29, 1988

J. Robert Haines, Esquire Zoning Commissioner Baltimore County Office Bldg. 111 West Chesapeake Avenue, Room 109 Towson, Maryland 21204

> RE: Item 75 - Special Hearing Petition Reservoir Limited Partnership Hooks Lane

Dear Mr. Haines:

Please be advised that I represent Reservoir Limited Partnership, the Petitioner in the above matter.

The purpose of this letter is to request an expedited hearing in this matter. The property for which development is proposed, is presently zoned RO along Hooks Lane and BR in the rear portion. At the conclusion of the initial CRG Hearing, the CRG matter was continued in order to obtain a determination of the right to use the RO portion for ingress and egress between Hooks Lane and the BR portion of the property. Subsequently, the engineer for this project was advised by the Zoning Office that the RO portion of the property could be used for ingress and egress and a hearing was not necessary. Therefore, a Petition for Special Hearing was not filed. Subsequently, it was decided by the Zoning Office that a Special Hearing should be held and a Petition has now been filed.

It is anticipated that the rescheduled CRG Hearing will occur in the early part of October, 1988. It is therefore requested that a Hearing be set as soon as possible so that a determination can be made by the Zoning Commissioner of this issue prior to the date of the anticipated CRG Hearing and to avoid any further delay in the processing of this property for development.

SOLOMON KAPLAN

Kaplan, Heyman, Greenberg, Engelman & Belgrad, P.A.

August 29, 1988

If there is any further information you need, please do not hesitate to contact me.

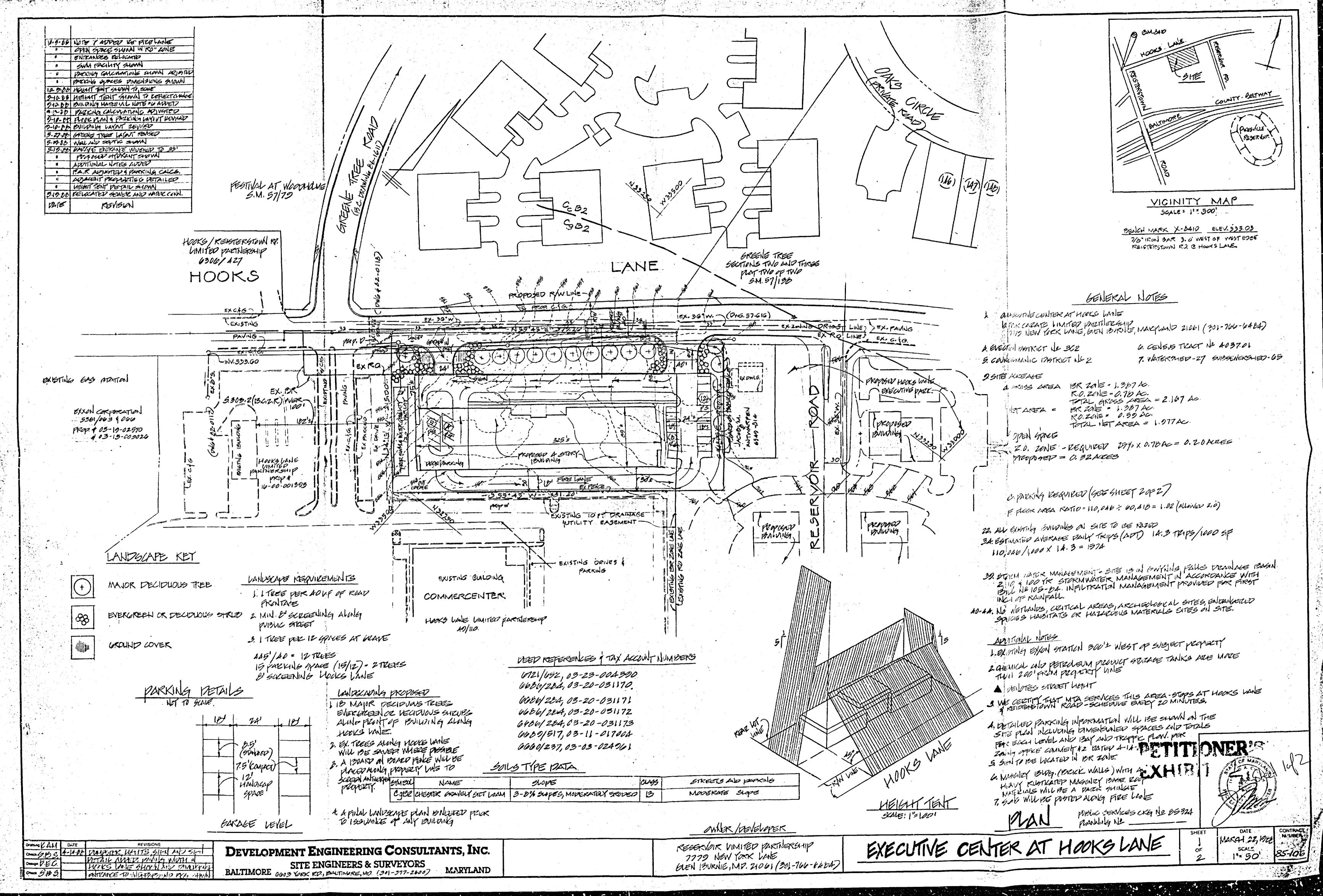
Thank you for your consideration in this matter.

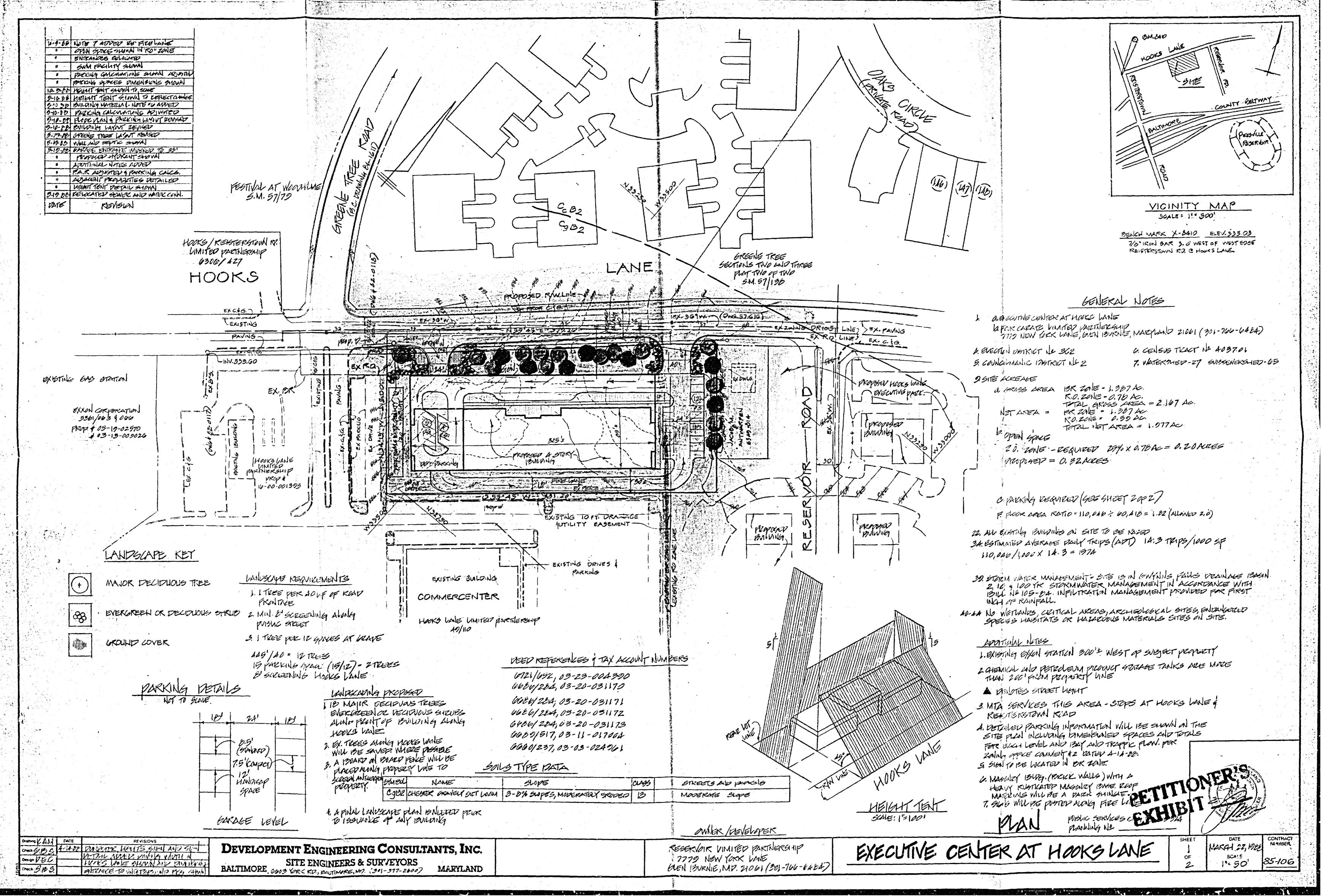
Sincerely,

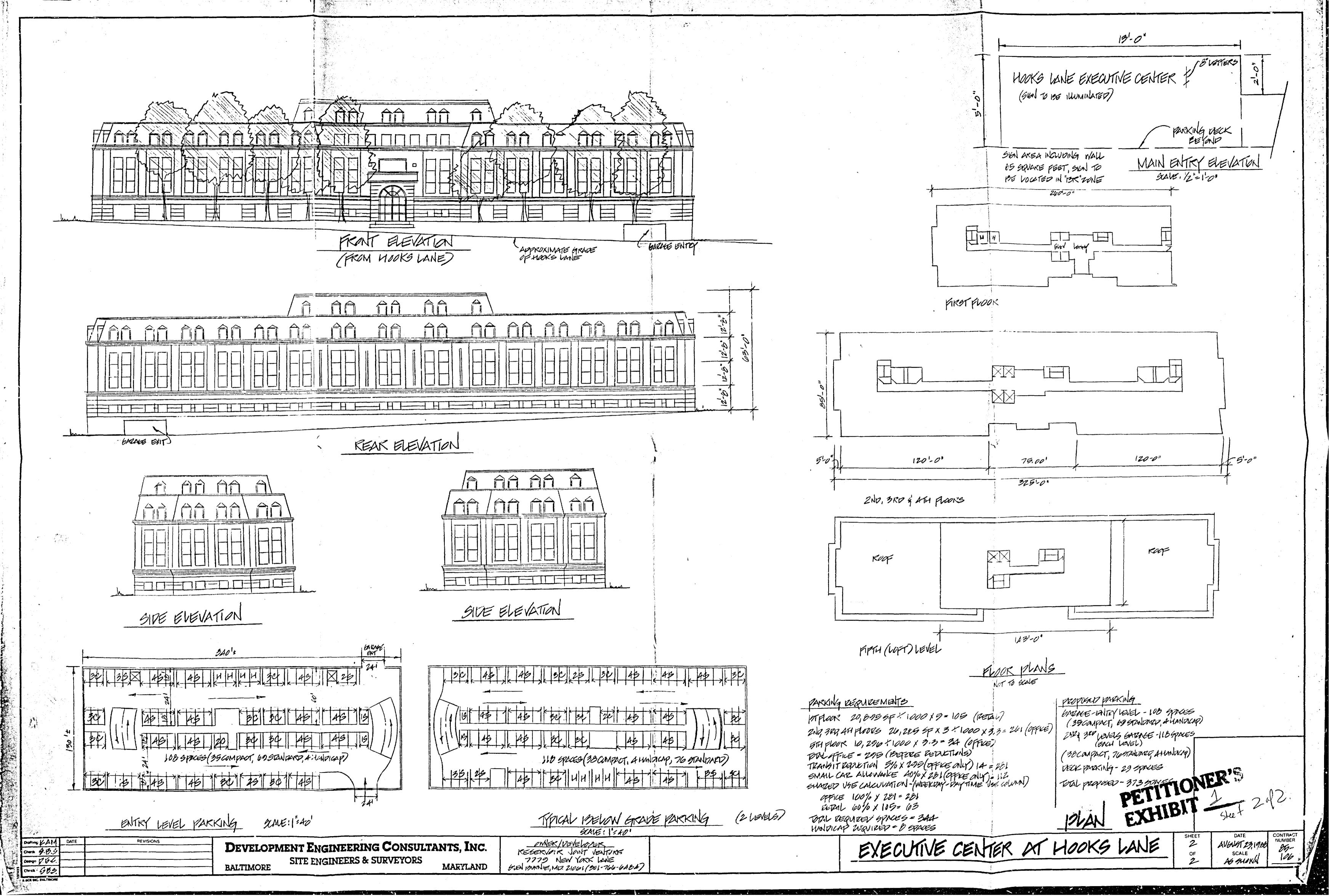
CBH:rb

PETITIONER(S)	SIGN-IN SHEET
Sam Shortley	DEC-COS JOHN ROLL
THOMAS M. NUHOS A.L.	ADDRESS ADDRESS ALL AND ADDRESS ALL AND ARCHURCH APPRICA TOWSON 21204
WES GUCKERT (THE TROTTE GOOD)	4 14 6. JOPPA RO. TOWSON 21204

EASE PRINT CLEARLY PROTESTANT(S) SIGN-IN SHEET		
MEWTON A. WILLIAMS Staly Blyt (Hocks Low)	ADDRESS 1105 HAMPTON PLAZA, 27204 43 Fambon Il 21208	







BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: November 1, 1990

Mr. Wirth / SWM Mr. Powell / EIRS Mr. Pilson / W&S Mr. Flowers / CBCA Mr. Fisher / Planning Mr. Richards / Zoning/ Mr. Bowling / DED Mr. Famili / Traffic Mr. Weiss / Sanitation Mr. Beaumont / Land Acq. Ms. Lutz / House Nos. Capt. Kelly / Fire Dept. Mr. Kincar / Rec.&Parks Mr. Brocato / SHA Ms. Killian / Assessments Mr. Butcher / C&P

Susan Wimbley

Bureau of Public Services

District: 3C2 Project Name: Executive Ctr. at Hooks La.

Project No.: 85324 Engineer: Dvelopment Engineering Consultant, Inc.

Phone No.: 377-2600

ACTION REQUESTED:

CRG Plan Review (Meeting Waived) CRG Plan Refinement Review CRG Non-Material Amendment Review : CRG Plan Approval Extension Review:XX Panhandle Minor CRG Plan Review : * Minor Subdivision Review

Please review the attached plan for compliance with current regulations and return comments to our office by 11/22/90. If you have no comments or do not need to review this plan, please indicate by placing your initials here _____.

Thank you for your attention to our request.

SDW:mmm cc: File

EXECUTIVE CENTER AT HOOKS LANE

C.R.G. Plan Approval Extension

Comments Due: 11/22/90 Comments Date: 12/12/90

- Document on the plan that "THERE ARE NO CHANGES OTHER THAN THE * NOTES ON THIS PLAN FROM THE 10/13/85 APPROVED C.R.G. AND THAT THE PLAN IS BEING SUBMITTED FOR EXTENSION REVIEW ONLY".
- Provide a zoning history by case number on the plan including the date of the last Order, what was requested, granted or denied and listing and indicating compliance with any restrictions including, but not necessarily limited to, case number 89-121-SPH.
- 3. Address comment made by this Office on 10/5/88 (enclosed). ...

If you have any questions, please do not hesitate to call me at 887-3391.

CAM:scj

cc: Current Planning Zoning File - #89-121-SPH Waiver File

BALTIMORE COUNTY, MARYLAND

JEJECT: COUNTY REVIEW GROUP COMMENTS

DATE: 10/13/88

ZONING OFFICE

DISTRICT: 3c2

(Continued from 5/26/88)

PROJECT NAME: EXECUTIVE CENTER AT HOOKS LANE

PLAN: 9/10/88

REV.: 10/5/88 REV.:

LOCATION: SE/S Hooks Lane SW of Reservoir Road

REVISED PLAN KEY:

(X) COMPLIANCE WITH COMMENT CHECKED

(O) NON-COMPLIANCE IS CIRCLED

(BA) BE ADVISED (NOT NECESSARY FOR CRG APPROVAL, BUT MUST BE ADDRESSED

PRIOR TO FINAL ZONING APPROVAL)

ADDITIONAL COMMENTS ADDED LAST BY PLAN DATE

On August 22, 1988 a Special Hearing hearing was applied for in the Zoning office to permit business access through a R.O. zone and a "use permit" for business parking in an R.O. zone pursuant to S.409.8.B, all under Item #75 (1989). A public hearing has been scheduled for October 7, 1988 at 2:15 P.M. in Room 106, County Office Building under Case #89-121-SPH. Note what has been requested and the

hearing date under the case number referenced on the plan. Final zoning approval would be contingent upon the following comments being addressed and the outcome of the public hearing.

Indicate compliance with S.303.2 (B.C.Z.R.) average street setback or a setback variance would be required. Property line setbacks and building front has not been indicated. See previous comment #4.

Include Amenity Open Space Calculations (25% of the gross R.O. site area) provided on the net R.O. zoned lot area. Include and address the requirements of S.409.8.B.2 (B.C.Z.R.) on the plan. Shade and sub-total A.O.S. areas on the plan.

Provide detailed parking level plans to scale and full dimensioned identifying compact and standard parking spaces, bay totals, isle widths, dead-end backup space and circulation. Clearly indicate underground parking entrance and extent on the plan print and the entrance on the building elevations. Indicate the percentage of compact spaces provided based on the required office parking separately in the parking calculations and identify general office use only.

Provide grade level indications on all elevations, dimension height tent drawing to scale, and provide certification on the plan evidencing compliance with S.409.6.B.1 (transit adj.). Include a complete shared use parking chart on the plan.

A full size (50 scale) site plan must be submitted for the public hearing to be included in the zoning file addressing all comments.

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